

U.S. Application No. 10/684,747, filed October 14, 2003

Attorney Docket No. 14211US03

Response dated December 17, 2007

In Response to Notice of Non-Compliant Amendment mailed November 16, 2007

REMARKS

This paper is a timely response to the Notice of Non-Compliant Amendment mailed November 16, 2007 ("the Notice"). The deadline by which to respond to the Notice is Monday, December 17, 2007 since December 16, 2007 falls on a Sunday.

In the Notice, the Amendment filed August 6, 2007 was objected to and a corrected Amendments to the Claims section was requested. In particular, the Examiner requested that the notation "[]" be used instead of "[]" and that the text not be presented in claims that were cancelled, without prejudice. Applicant has made the requested changes.

It is respectfully submitted that the corrected Amendments to the Claims section places the Amendment filed August 6, 2007 in full compliance with 37 C.F.R. § 1.121.

Conclusion

Applicant does not necessarily agree or disagree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. Furthermore, Applicant respectfully reserves the right to argue the characterization of the documents of record, either alone or in combination, to argue what is allegedly well known, allegedly obvious or allegedly disclosed, or the characterization of the recited claim elements should that need arise in the future.

With respect to the present application, Applicant hereby rescinds any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the alleged prior art that it was made to allegedly avoid, may need to be revisited. Nor should a disclaimer of claim scope, if any, in the present application be read back into any predecessor or related application.

In view of at least the foregoing, it is respectfully submitted that the pending claims 11-20, 22-36 and 38-42 are in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

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The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: December 17, 2007

Respectfully submitted,

/Michael T. Cruz/

Michael T. Cruz

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